

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Appln. No. 10/050,516 (Q67107)

REMARKS

Claims 1-6, 21 and 23-25 have been examined. New Claims 26-29 are being added to more fully claim the patentable aspects of the invention.

I. Rejection under 35 U.S.C. § 103(a)

The Examiner continues to maintain his position, rejecting claims 1-6 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Lobiondo (US 5,287,194) in view of Fan et al (“Fan”, US 6,310,692) and claims 21, 23 and 24 as being unpatentable over Lobiondo in view of Fan and Nosaki (US 5,673,373).

Applicant respectfully submits that Claim 1 recites, *inter alia*, “during execution of the imaging job by the second imaging device, the imaging management devices determine whether the first imaging device is operable, and when the first imaging device is operable, the imaging management devices control so that the imaging job is executed again by the first imaging device”, which the Examiner asserts is taught by Lobiondo. In particular, the Examiner seems to assert in the Advisory Action that after a portion of a print job is allocated to printer A, that if a disabled printer B becomes available during the time other portions are being allocated, the imaging job would be allocated to printer B. Even if the Examiner’s assertion is correct, Applicant respectfully disagrees that Lobiondo discloses the above features of claim 1. For example, Lobiondo discloses that any resources which become available during printing of the job may be assigned any portions of the job which have not yet been completed (Col. 5, lines 2-5). Lobiondo, however, does not disclose that the portion of imaging job already allocated to printer A is executed again by the printer B, when printer B becomes operable. That

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is, once a portion of a print job is allocated to a specific printer, the allocated portion must be completed by the specific printer and cannot be completed by a different printer. Moreover, Lobiondo discloses that partial sets are not to be split up among plural printers (Col. 6, lines 63-66). Thus, Lobiondo teaches against redistributing an allocated print job among printers. Therefore, Lobiondo fails to disclose that during execution of the imaging job by the second imaging device, the imaging management devices determine whether the first imaging device is operable, and when the first imaging device is operable, the imaging management devices control so that the imaging job is executed again by the first imaging device, as required in Claim 1.

Further, since claim 21 contains features that are similar to the features of claim 1, Applicant submits that claim 21 is patentable at least for reasons analogous to those presented above. In addition, Applicant submits that the Nosaki reference fails to make up for the noted deficiencies of Lobiondo and Fan, and therefore, is patentable for reasons analogous to those discussed in conjunction with claim 1.

Also, the addition of new Claims 26-29 do not constitute new matter, and thus entry is respectfully requested. Applicant submits that the remaining are patentable at least by virtue of their dependencies.

II. Conclusion

In view of the above, reexamination, reconsideration and allowance are respectfully requested.

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The Examiner is invited to contact the undersigned at the below-listed number on any questions which might remain.

Respectfully submitted,



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